

Koch, Kristine

From: MCCLINCY Matt <MCCLINCY.Matt@deq.state.or.us>
Sent: Friday, April 10, 2015 8:58 AM
To: Koch, Kristine; Allen, Elizabeth
Cc: PARRETT Kevin; Robinson, Deborah
Subject: DEQ Water Quality Criteria - ARAR Question

Hi Kristine,

I believe the e-mail chain below addresses your question about the status of DEQ Water Quality Criteria. If it does not, please let me know.

Matt McClincy

From: STURDEVANT Debra
Sent: Thursday, April 09, 2015 2:30 PM
To: MCCLINCY Matt; PARRETT Kevin; MATZKE Andrea
Cc: JOHNSON Keith
Subject: RE: DEQ Water Quality Criteria

Matt, I think this is an accurate summary. I'm including Andrea so she can add/correct if need be.

In case this is relevant for your project, here is some information on the timing of when new criteria may be in place: The EQC adopted new ammonia criteria in Jan. 2014. The new criteria will become effective when they are approved by EPA. It's possible EPA could approve those criteria within a month or two or it could be longer.

We are beginning a project to revise the copper criteria. The earliest revised Cu criteria could be effective would be early 2017 and again, it could be quite bit longer.

DEQ is **not** planning to revise Cd or Al at this time. We don't know yet how a lawsuit might affect schedules for these. It could be that EPA will have to promulgate criteria for OR. It would be unlikely that any revisions would be effective before the end of 2016 at the very earliest.

Debra

Debra Sturdevant

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From: MCCLINCY Matt
Sent: Thursday, April 09, 2015 2:09 PM
To: PARRETT Kevin
Cc: JOHNSON Keith; STURDEVANT Debra
Subject: DEQ Water Quality Criteria

Kevin,

Unless you have any follow up questions, I plan on sending the following to EPA in response to their question yesterday on DEQ Water Quality Criteria.

After speaking with Debra Sturdevant, she clarified that the current *effective* DEQ Water Quality Criteria are presented in Tables 40 (Human Health) and Table 30 (Aquatic Life) which can be viewed on DEQ's web page at:

<http://www.deq.state.or.us/wq/standards/toxics.htm>.

Regarding EPA CERCLA's question about the impacts of litigation Debra explained the following.

In 2013, EPA approved updated DEQ criteria. EPA did not approve DEQ criteria for ammonia, Cu, Cd and Al. Debra's guess as to the litigation EPA is referring to is that Nina Bell's group served EPA with a notice of intent to sue for not developing alternatives for the four chemicals EPA did not approve within the time frame required under the Clean Water Act. April 13 is the date that Nina Bell's group could actually sue EPA.

Debra noted that the DEQ Aquatic Life Criteria values for ammonia, Cu, Cd and Al in Table 30 are the previously approved numbers from the old Table 20.

The take home message for EPA is that the DEQ effective Water Quality Criteria for use as ARARs are in Tables 40 and 30.

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This spring, DEQ's Northwest Region Office will be moving to a new location - the 700 Lloyd Building at 700 NE Multnomah St., Suite #600, Portland, OR 97232. The date for operating at the new location is May 18th, 2015